



02034. The amount on this judgment is \$1,066,710.45 for breach of warranty; \$360,498.32 for legal fees, expenses, and expert fees; \$200,016.83 for costs of arbitration; and \$158,399.16 in pre-award interest, with simple interest accruing on the foregoing amounts at the rate of five (5) percent per annum from March 28, 2021, until paid. A true and correct copy of the judgment is attached hereto as Exhibit A.

Defendant Clyde Bergemann US, Inc.'s last known address is 7380 Coca-Cola Drive, Suite 126, Hanover, Maryland 21076. Defendant Clyde Bergemann Power Group Americas, LLC, formerly known as Clyde Bergemann Power Group Americas, Inc.'s last known address is Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

Within Plaintiff's knowledge, Defendants do not possess property in Texas subject to execution sufficient to satisfy the judgment. This garnishment is not sought to injure Defendants or Garnishee.

3. *Affidavit.* Plaintiff is entitled to the issuance of a Writ of Garnishment on the grounds stated in the affidavit attached hereto as Exhibit B. The affidavit is incorporated in this application by reference.

4. *Prayer.* Plaintiff prays that:

- a. a Writ of Garnishment be issued directed to Garnishee<sup>1</sup>;
- b. Plaintiff be granted judgment against Garnishee for the amount now due on Plaintiff's judgment already rendered against Defendants Clyde Bergemann US, Inc., and Clyde Bergemann Power Group Americas, LLC, formerly known as Clyde Bergemann Power Group Americas, Inc., together with interest and costs of the suit in the original case and in this Garnishment

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<sup>1</sup> A proposed Writ of Garnishment is attached hereto as Exhibit C.

proceeding;

- c. Plaintiff be granted judgment for pre-judgment and post-judgment interest at the highest rate allowed by law; and
- d. Plaintiff be granted all further relief to which Plaintiff may be entitled.

Dated: January 12, 2022

Respectfully submitted,

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